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Hon.ble Mr. Hancock

Dec. 7 1779

Sir

The Bearer of This
is the Gentleman whose Character
you gave me in your Letter
of Oct. 30 delivered by him
on the 1st of this Month. From
a Respect to your strong Recom-
mendation I examined critically
all the Papers in the Registers
Office relative to the Condemnati-
on of Mr. Cross's Property in a
Court of Appeals. But I could
thence get no other Satisfaction
than finding many Testimonies of
his good Character distinct from
those which you had seen. For
as to his Effects they are irrecoverably
gone; as Mess^{rs} Drayton Root & Paca
not only reversed the Decree of the
Court in Nth Carolina which had been
full in favor of the Claimant Davis, but
they also decreed Vessel & Cargo to the
Appellant Gibbons who had appeared
as Captor in the lower Court, saving that
they allowed Cap^t Davis his own Effects
under a Bill of Costs of 280 Dollars. The
Case was this - Davis having run away
from the British Convoy anchored in Cape

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Lookout Harbour where he took a Pilot
on Board and was sailing to Beaufort when
Gibbons in a Letter of Marque boarded him.
Davis if honest was at least ill advised
and claimed the Vessel & most of the
Cargo as British Property which he
had run away with according to his
original Intention founded on
the Encouragement of the Resolve
of Congress of Oct. 14th 1777. The Vessel
and Cargo was thereupon given to him &
his crew. But on the Appeal it
appeared that neither he nor his
Sailors knew any thing of the Resolve
till after Gibbons brought the Vessel
into Harbor at Prince. I wish
it had been so that the C^{of} Appeals
had only annulled the first Trial
and thereby left the Property where
it was found to be liable to a fresh
Argument founded upon its being
the Property of a Person or Persons
coming to reside in there, I state
which could have been abundantly
proved. But the 3 Judges would
not allow a new Argument but
confined themselves wholly to the
appellant & appellee on the
Facts & Arguments of the first
Trial. There is no Reservation
made for any new Claims; and

the Appellant is at Liberty to say
he gambled the whole away the
night after it came into his
possession. It is an hard
case considering Mr. Croft's real
Character but there is no Remedy
in the Power of Congress.

I will aim to procure some
Employment for him immediately
from Congress or some of the great
Boards here as the only thing
in my Line of Ability.

We are aiming to fix upon
a new mode of trying Appeals: so
that I hope for more Content in
future than in Time past. The Debate
is whether there shall be several
Districts & different Sets of Judges,
equal to the Districts, or one
Set of Itinerants or one Set
stationary. I must own I am in
favor of the last in the present
Stage of our Union. Distance is
not what has caused past Uneasiness:
but Delay of another kind has been
very grievous.

But oh the Money! Will not
the States see the desperate State
we shall be in if not speedily supplied
by Taxes & Loans. If we pass well over
two months the whole Continent must
feel the good Effect of Taxing. There
is a Determination to draw Bills.

on both Jay & Laurens immediately
at 6 months sight to be sold at cur-
rent Exchange the Sale to be stopped
or continued at the Discretion of the
Treasury who are to report their Reasons.
This it is said will give us a good deal
of ready money or directly lower
Exchange. Time must determine.

O I am very much obliged to
you for y^r. kind assurances in regard
to my Family. I am suffering; what
must be their fate? The Exorbitance
of my Expenses here keeps my
mind doubly in Vexation as I draw
Inferences from it respecting my
Commissions in Boston who if I cannot
be clothed & warmed. Nay who cannot
be one or the other of the three
if I am clothed, and yet clothed
I must be or quit for mere bash-
fulness sake. But I must quit
this Topic, ~~and my Pen altogether,~~
~~and attending to a violent Rheum~~
~~in my Head & Breast, neglected~~
~~for three nights back must~~
wish you unbroken Repose and
every preliminary Felicity

JL

I have sent the Journal this day by a Mr Torrey